

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2685 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE J.N.BHATT and
MR.JUSTICE H.K.RATHOD

1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?

4. Whether this case involves a substantial question : NO of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

SAUDAGAR EXPORTS THROGH PROPRIETOR

Versus

UNION OF INDIA

Appearance:

MR KB TRIVEDI FOR M/S TRIVEDI & GUPTA for Petitioner
MR MUKESH R SHAH for Respondents.

CORAM : MR.JUSTICE J.N.BHATT and

MR. JUSTICE H.K. RATHOD

Date of decision: 27/10/1999

ORAL JUDGEMENT(Per J.N.Bhatt, J.)

In this petition under Article 226 of the Constitution of India, the petitioner has sought direction permitting the petitioner firm to re-export goods being 322 MTs of Poppy Seeds purchased by the petitioner firm elaborately stated in para 3(ii) of the petition.

Learned counsel Mr Trivedi has stated at the Bar that the permission for re-export of goods in question may be granted on the following terms and conditions:

1. The amount of foreign remittance (US dollars) shall be brought in the country first and proof thereof from RBI will be furnished to respondent No.2 and re-export will be made thereupon.
2. The petitioner shall execute an undertaking-bond in favour of respondent No.2.
3. The petitioner shall furnish bank guarantee in the sum of Rs.50 lacs (fifty lacs) for a period of one year and thereafter, if necessary, the same shall be extended.

In order to see that the proceedings are expeditiously concluded, the Department will take urgent action and the petitioner shall render full cooperation.

In view of the aforesaid consensual statement and the conditions as stated above being complied with, the respondent No.2 shall permit the petitioner to re-export the goods in question without any loss of time upon compliance of the aforesaid conditions.

In view of the aforesaid statements and the directions, no further orders are necessary at this stage. Accordingly, the petition stands disposed of. Rule discharged.

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(vjn)